

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

C.P.(IB)No.360/BB/2019
U/s 9 of the IBC, 2006
R/w Rule 6 of I&B(AAA) Rules, 2016

In the matter of:

**M/s.Caliper & Clamp Interior
Solutions Private Limited**
17/G, Industrial Subhurb
1st Stage, Yeshwanthpur,
Bangalore – 560 022.

- Petitioner

Versus

M/s.Mantri Developers Pvt. Ltd.
#41, Vittal Malaya Road,
Bangalore – 560 011.

- Respondent

Date of Order: 26th November, 2019

Coram: 1. Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
2. Hon'ble Shri Ashutosh Chandra, Member (Technical)

Parties/Counsels Present:

For the Petitioner : None
For the Respondent : Ms. Lakshmi Priyanka

ORDER

Per: Ashutosh Chandra, Member (Technical)

1. C.P.(IB)No.360/BB/2019 is filed by M/s.Caliper & Clamp Interior Solutions Private Limited (hereinafter referred to as 'Petitioner/Operational Creditor') U/s 9 of the IBC, 2016, R/w Rule 6 of the I&B (AAA) Rules, 2016, by inter alia seeking to initiate Corporate Insolvency Resolution Process (CIRP) in respect of M/s.Mantri Developers Private Limited (hereinafter referred to as 'Respondent/Corporate Debtor') on the ground that the Corporate



Debtor has committed default for a total outstanding amount of Rs.3,87,531.91/- (Rupees Three Lakhs Eighty Seven Thousand Five Hundred Thirty One and Ninety One Paise Only) which include principle and interest.

2. The case was listed for admission on various dates viz., 07.11.2019, 15.11.2019 & 20.11.2019. However, neither the Petitioner nor the Counsel for the Petitioner appeared before the Adjudicating Authority on 15.11.2019 & 20.11.2019 for prosecution of the case.
3. On perusal of the records, it shows that the case is not being prosecuted diligently. Therefore, the case was posted under the caption **"For Dismissal"** on 26.11.2019. Today also none appeared for the Petitioner. It shows that the Petitioner is not interested to prosecute the case, and therefore, the Petition is liable to be dismissed for default for non-prosecution of the case.
4. In the result, C.P.(IB)No.360/BB/2019 is dismissed for default for non-prosecution of the case. No order as to costs.

(ASHTOSH CHANDRA)
MEMBER, TECHNICAL

(RAJESWARA RAO VITTANALA)
MEMBER, JUDICIAL

Puja